

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

---

HEALTH INSURANCE PLAN OF NEW	)	
YORK,	)	Civil Action No. 07-cv-6785 (HB)
	)	
Plaintiff,	)	Hon. Harold Baer, U.S.D.J.
	)	
v.	)	
	)	
AVENTIS PHARMACEUTICALS, INC.,	)	
	)	
Defendant.	)	
	)	

---

**DEFENDANT AVENTIS PHARMACEUTICALS, INC.’S UNOPPOSED REQUEST  
FOR EXTENSION OF TIME TO RESPOND TO THE COMPLAINT**

COMES NOW defendant Aventis Pharmaceuticals, Inc. (“Aventis”) and hereby moves this Honorable Court to grant Aventis an extension of time in which to respond to Plaintiff Health Insurance Plan of New York’s (“HIPNY”) Class Action Complaint (the “Complaint”).

Currently, Aventis’ response to the Complaint is due August 24, 2007. Because Aventis only recently retained counsel in this matter, it respectfully requests that the Court grant Aventis a 30-day extension – until September 24, 2007 – to file its response. Counsel for Aventis has contacted and obtained HIPNY’s consent to this request. A current copy of the docket report is attached.

WHEREFORE Aventis prays that this Honorable Court grant this Unopposed Request for Extension of Time to Respond to the Complaint.

Dated: August 24, 2007	Respectfully submitted,  <u>s/ Samuel Joseph Hand</u> Samuel Joseph Hand (SH-9275) JONES DAY 222 East 41st Street New York, NY 10017-6702 Tel: (212) 326-3939 Fax: (212) 755-7306  <i>Counsel for AVENTIS PHARMACEUTICALS, INC.</i>
------------------------	---

**CERTIFICATE OF SERVICE**

I, Samuel Joseph Hand, certify that the foregoing Unopposed Request for Extension of Time to Respond to the Complaint was served on August 24, 2007, on the counsel listed in the service list below by first-class mail.

Ed Notargiacomo  
HAGENS BERMAN SOBOL SHAPIRO LLP  
One Main Street, Fourth Floor  
Cambridge, MA 02142

Mark M. Sandmann  
RAWLINGS & ASSOCIATES, P.L.L.C.  
325 W. Main Street  
Louisville, KY 40202

Richard Cohen  
LOWEY DANNENBERG BEMPORAD  
SELINGER & COHEN, P.C.  
White Plains Plaza  
One North Broadway  
White Plains, NY 10601

s/ Samuel Joseph Hand

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

---

HEALTH INSURANCE PLAN OF NEW	)	
YORK,	)	Civil Action No. 07-cv-6785 (HB)
	)	
Plaintiff,	)	Hon. Harold Baer, U.S.D.J.
	)	
v.	)	
	)	
AVENTIS PHARMACEUTICALS, INC.,	)	
	)	
Defendant.	)	
	)	

---

**PROPOSED ORDER**

Upon consideration of defendant Aventis Pharmaceuticals, Inc.'s Unopposed Request for Extension of Time to Respond to the Complaint, it is this \_\_\_\_ day of \_\_\_\_\_, 2007, hereby

ORDERED that Aventis Pharmaceuticals, Inc. has until September 24, 2007 to respond to plaintiff's Complaint.

---

UNITED STATES DISTRICT JUDGE

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-06785-HB**

Health Insurance Plan of New York v. Aventis  
Pharmaceuticals, Inc.

Assigned to: Judge Harold Baer

Cause: 28:1331 Fed. Question: Other

Date Filed: 07/26/2007

Jury Demand: Plaintiff

Nature of Suit: 410 Anti-Trust

Jurisdiction: Federal Question

**Plaintiff**

**Health Insurance Plan of New  
York**

represented by **David S. Nalven**

Hagens Berman Sobol Shapiro, LLP

One Main Street

4th Floor

Cambridge, MA 02142

(617) 482-3700

Fax: (617) 482-3003

Email: davidn@hbsslaw.com

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

**Gerald Lawrence**

Hagens Berman Sobol Shapiro, LLP

White Plains Plaza

One North Broadway

White Plains, NY 10601

(914) 997-0500

Fax: (914) 997-0035

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

**Jeffrey Swann**

Rawlings & Associates, P.L.L.C.

325 W. Main Street

Louisville, KY 40202

(502) 814-2157

Fax: (502) 584-8580

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

**Mark D. Fischer**

Rawlings & Associates, P.L.L.C.

325 West Main Street

Louisville, KY 40201

(502) 814-2157

Fax: (502) 584-8580  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Mark M. Sandmann**  
Rawlings & Associates, P.L.L.C.  
325 W. Main St.  
Louisville, KY 40202  
(502) 814-2157  
Fax: (502) 584-8580  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Richard Cohen**  
Lowey Dannenberg Bemporad  
Selinger & Cohen, P.C.  
White Plains Plaza  
One North Broadway  
White Plains, NY 10601  
(914) 997-0500  
Fax: (914) 997-0035  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Thomas M. Sobol**  
Hagens Berman Sobol Shapiro, LLP  
One Main Street  
4th Floor  
Cambridge, MA 02142  
(617) 482-3700  
Fax: (617) 482-3003  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Aventis Pharmaceuticals, Inc.**

Date Filed	#	Docket Text
07/26/2007	1	COMPLAINT against Aventis Pharmaceuticals, Inc.. (Filing Fee \$ 350.00, Receipt Number 622359)Document filed by Health Insurance

		Plan of New York.(tro) Additional attachment(s) added on 8/1/2007 (Becerra, Maribel). (Entered: 07/30/2007)
07/26/2007		SUMMONS ISSUED as to Aventis Pharmaceuticals, Inc. (tro) (Entered: 07/30/2007)
07/26/2007		Magistrate Judge Andrew J. Peck is so designated. (tro) (Entered: 07/30/2007)
07/26/2007		Case Designated ECF. (tro) (Entered: 07/30/2007)
07/26/2007	2	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Health Insurance Plan of New York.(tro) Additional attachment(s) added on 8/1/2007 (Becerra, Maribel). (Entered: 07/30/2007)
08/22/2007	3	LETTER re: Letter addressed to David S. Nalven, Esq. from Linda Eckhouse, Judicial Assistant to Hon. Harold Baer, Jr. dated 8/8/07 re: There will be a Pre-Trial conference in this case at 3:30 p.m. on 10/4/07, in Room 2230.(jco) (Entered: 08/24/2007)
08/22/2007		Set Deadlines/Hearings: Pretrial Conference set for 10/4/2007 at 03:30 PM before Judge Harold Baer. (jco) (Entered: 08/24/2007)